

The actions delineated below were taken in open session of the EPSB at the August 10, 2015, meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

<p style="text-align: center;">Education Professional Standards Board (EPSB) Summary Minutes of the Meeting EPSB Offices, 100 Airport Road, 3rd Floor Frankfort, Kentucky</p>
--

Call to Order

Chair Cassandra Webb called the meeting to order at approximately 9:05 a.m. EDT.

Swearing In of New Board Members

Board secretary Ashley Abshire swore in the EPSB's new Board members, and the new Board members introduced themselves to the Board and audience.

Leslie Fields

Ms. Fields introduced herself as a high school library media specialist from Letcher County, who has 29.5 years of experience as an educator.

Donna Hedgepath

Dr. Hedgepath introduced herself as the vice president for academic affairs at Campbellsville University and reported that she was also the former dean for the School of Education at Campbellsville University.

Kimberly Young

Ms. Young said she was a principal at Westridge Elementary in Frankfort, Kentucky.

Jay Morgan

Dr. Morgan said that he was the vice president for academic affairs at the Council on Postsecondary Education (CPE) and said he serves as a designee ex-officio member for CPE.

Robin Hebert

Ms. Hebert said that she works in the office of next generation learners at the Kentucky Department of Education (KDE) and has been an educator for 30 years, serving 19 years in a classroom. Ms. Hebert serves as a designee ex-officio member for KDE.

Chair Cassandra Webb congratulated Ms. Ellen Blevins and Mr. Allen Kennedy for their reappointments to the Board.

Roll Call

The following Board members were present during the August 10, 2015, EPSB meeting: Brandy Beardsley, Ellen Blevins, Barbara Boyd, Tolya Ellis, Leslie Fields, Donna Hedgepath, Terry Holliday, Allen Kennedy, Marie McMillen, Jay Morgan, Mary John O'Hair, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Cassandra Webb, David Whaley, and Kimberly Young.

Board's Mission Statement

Chair Webb reminded the Board of its mission statement by reviewing it with the Board and audience.

Open Speak

Aaron Collins

Superintendent Aaron Collins of Fulton County Schools in Hickman, Kentucky, addressed the Board and stated that he appreciated the Board's service to the Commonwealth, its dedication to students, and its devotion to ensure that Kentucky has teachers that are qualified, responsible, and ethical. He further expressed appreciation for Acting Executive Director Jimmy Adams and his support of the EPSB mission. Mr. Collins said that he also appreciated the hard work that the Board was completing in terms of resolving and answering complaints and ultimately keeping kids safe. He stated that although 'flagging' was a hot topic for the Board, he knew that the Board would work out a solution that was fair to teachers and, more importantly, that would keep students safe. He shared that he trusted the EPSB and the investigation processes in delivering justice, and he believed that 'flagging' could act as a measurement of safety for the students.

Approval of Consent Items

Chair Webb requested that Board members identify any items on the consent agenda which they wished to discuss prior to taking final action. No items were asked to be pulled for further discussion.

2015-027

Motion made by Ms. Marie McMillen, seconded by Dr. David Whaley, to approve the following items on the consent agenda:

Approval of June 8, 2015, EPSB Minutes

Visually Impairments (Graduate Level), University of Kentucky

Planned Program for Rank I (Ed.D. with Superintendent Certification), Bellarmine University

Vote: *Unanimous*

Education Administrative Program Consultant II Ms. Allison Bell recognized representatives from the University of Kentucky and Bellarmine University whose programs were approved by the Board.

Report of the Executive Director

Report from the Kentucky Department of Education

The report from KDE was in the Board folders. There were no questions from the Board.

Report from the Council on Postsecondary Education

The report from CPE was in the Board folders. There were no questions from the Board.

KY Rising Update

Acting Executive Director Adams said that the gap analysis was complete. He said that the KY Rising work was ongoing, but it had slowed down due to the vacant KDE commissioner position.

Staff Updates

Mr. Adams announced that Dr. Kim Walters-Parker had accepted a position with Woodford County Schools. He said she was published recently in a CAEP newsletter where she discussed her excitement in returning to teaching students, using policies that she was involved in setting.

Mr. Adams said that he would not seek to fill the vacant division director positions for Educator Preparation and Legal Services. He said the new executive director should be able to create and develop his/her staff.

Mr. Adams recognized three (3) interns: Lucy Wills, Haley Koontz, and Jonathan Sekela. He also introduced Shuo Han, a new staff attorney, and Erik Carlsen-Landy, a new contract attorney. Mr. Adams also congratulated Cassie Trueblood for her promotion to a Staff Attorney II position.

Strategic Plan Update

Mr. Adams said that KACTE sponsored a workshop the first week of August. He also reported that Kentucky was far ahead of other states in the collection of data, largely because of the involvement of CAEP and PARC.

The EPSB Project Manager Rich Miller gave an update on Kentucky Educator Preparation Accountability System (KEPAS). He said the PARC group focused on the program accreditation review process and developing a web-enabled system that would be more efficient, consistent, and fair to all stakeholders. He said that PARC convened into focus groups and was now coming together to work on the alignment of the assessment data to the standards, to review regulations for possible amendments, to develop rubrics, and to collaborate among the EPPs. Mr. Miller said that he planned to present more information on KEPAS at the October EPSB meeting.

Mr. Adams said that the online educator complaint system was now live.

Ms. Donna Brockman said that Intern Management System was in its final testing stages for KTIP to be aligned to PGES, and staff anticipated changes to be live by the middle of August. Ms. Brockman also said the New Teacher Survey would be issued later this year, and the survey would have the ability to be narrowed down by programs.

Chair Recognition

Mr. Adams thanked Chair Cassandra Webb for her leadership over the last 3 years. The August meeting was her last meeting since her term as chair expired.

Report of the Chair

Recognition of Out-Going Board Member

Chair Cassandra Webb recognized Dr. Terry Holliday for his service to the Board and thanked him for his time and service. Dr. Holliday said it was an honor to serve on the Board and thanked the Board for its dedication.

Report from the Nominating Committee for Chair and Vice Chair

Nominating Committee Chair Dr. Mary John O'Hair reported that the Nominating Committee submitted the following nominations: Anthony Strong as Chairperson and David Whaley as Vice Chairperson. There were no further nominations from the floor.

2015-028

Motion made by Dr. O'Hair, seconded by Mr. Allen Kennedy, for Anthony Strong serve as EPSB chairperson.

Vote: *Unanimous*

2015-029

Motion made by Dr. O'Hair, seconded by Ms. Tolya Ellis, for David Whaley serve as the EPSB vice chairperson.

Vote: *Unanimous*

Executive Director Search Committee Update

Dr. O'Hair reported that the Executive Director Search Committee met on August 9 with the purpose of selecting applicants for an initial interview scheduled later in August. A total of 25 qualified applications were received by the Education and Workforce Development Cabinet Human Resources Department which completed the initial first screening for qualified candidates. She said the committee was on schedule to bring finalists to the full board for interviews on October 12, 2015.

Appointments

Task Force to Study Policies to Review and Make Recommendations on Combating Inappropriate Student-Teachers Relationships

Chair Webb made the following appointments to the Combating Inappropriate Student-Teacher Relationships Task Force: Lisa Lang, Mike Armstrong, Tom Shelton, Wayne Young, Barbara Gateskill, Lucie Estill, Bob Shultz, Amy Lingo, and Hart Megibben.

CAEP Partnership Agreement Task Force

Chair Webb made the following appointments to the CAEP Partnership Agreement Task Force: Sherry Powers, Norm Bishop, Sara Bush, Althea Webb, Marlaine Chase, Carol Garrison, Margaret Moore, Joy Bowers-Campbell, Joe Olson, Patricia Higgins, Leah Hoover, David Moffett, Johnnie Dean, Christopher Miller, Jacqueline Hansen, Carol Ryan, Chris Walsh, Nancy McCrary, Christy Petroze, Tiffany Wheeler, Jason Reeves, Rosetta Sandidge, Manish Sharma, Linda Neuzil, Shannon Deaton, and Jacke Pope-Tarrence.

Information/Discussion Items

Awarded Contracts

Mr. Adams informed the Board on the most recent contracts for the EPSB. These contracts included a new personal service contract for a prosecuting attorney, three (3) MOAs for the SEED grant, and an MOA with CPE to assist with KyEducators.org.

Financial Report for Fiscal Year 2015

Mr. Adams informed the Board that the entire agency budget was used except for \$44.00, and that the agency was not allowed to carry over general funds to the following year. He also told the Board that the National Board Incentive Trust Fund had been depleted and would not continue until other funds were allocated by the legislature.

Action Items

16 KAR 2:110. Endorsement for Teachers for Gifted Education, Amendment, Final Action

2015-030

Motion made by Ms. McMillen, seconded by Ms. Brandy Beardsley, to approve the amendments to 16 KAR 2:110.

Vote: *Unanimous*

16 KAR 2:140. Probationary Certificate for Teachers of Children, Birth to Primary, Amendment, Final Action

2015-031

Motion made by Ms. McMillen, seconded by Ms. Laura Schneider, to approve the amendments to 16 KAR 2:140.

Vote: *Unanimous*

16 KAR 2:150. Probationary Certificate for Teachers of Engineering and Technology Education, Amendment, Final Action

2015-032

Motion made by Ms. Schneider, seconded by Ms. McMillen, to approve the amendments to 16 KAR 2:150.

Vote: *Unanimous*

16 KAR 2:160. Probationary Certificate for Teachers of Exceptional Children, Amendment, Final Action

2015-033

Motion made by Ms. McMillen, seconded by Ms. Ellen Blevins, to approve the amendments to 16 KAR 2:160.

Vote: *Unanimous*

16 KAR 2:170. Probationary Certificate for Middle School Teachers, Amendment, Final Action

2015-034

Motion made by Ms. Beardsley, seconded by Ms. Blevins, to approve the amendments to 16 KAR 2:170.

Vote: *Unanimous*

16 KAR 2:200. Probationary Certificate for Teachers for English as a Second Language, Amendment, Final Action

2015-035

Motion made by Ms. Blevins, seconded by Ms. Beardsley, to approve the amendments to 16 KAR 2:200.

Vote: *Unanimous*

16 KAR 3:030. Professional Certificate for Directors and Assistant Directors of Pupil Personnel, Amendment, Final Action

2015-036

Motion made by Ms. Schneider, seconded by Ms. Ellis, to approve the amendments to 16 KAR 3:030.

Vote: *Unanimous*

16 KAR 3:040. Director of Special Education, Amendment, Final Action

2015-037

Motion made by Dr. O'Hair, seconded by Ms. Blevins, to approve the amendments to 16 KAR 3:040.

Vote: *Unanimous*

16 KAR 9:030. Professional Certificate for College Faculty: Secondary Education, Amendment, Final Action

2015-038

Motion made by Ms. Sandy Sinclair-Curry, seconded by Ms. McMillen, to approve the amendments for 16 KAR 9:030.

Vote: *Unanimous*

16 KAR 9:040. Part-Time Adjunct Instructor Certificate, Amendment, Final Action

2015-039

Motion made by Ms. Blevins, seconded by Dr. Whaley, to approve the amendments to 16 KAR 9:040.

Vote: *Unanimous*

16 KAR 2:100. Junior Reserve Officers Training Corps Certification, Amendment, Final Action

2015-040

Motion made by Ms. McMillen, seconded by Ms. Blevins, to approve the amendments for 16 KAR 2:100.

Vote: *Unanimous*

KTIP Appeals

Ms. Cassie Trueblood reviewed the Appeals Committee's recommendations to the Board. Dr. Anthony Strong asked if training was provided every year for KTIP committee members. Ms. Donna Brockman said KTIP training was different this year because everyone was required to be trained due to the changes in KTIP. Prior to this year KTIP members had to be retrained if they had not been trained since 2007. Ms. Brockman said that there were over 2000 interns this year with 19 unsuccessful KTIP interns and 5 KTIP appeals.

Ms. Brandy Beardsley expressed concern on the committee's last two recommendations to not uphold the intern committee's decision. Ms. Beardsley asked if there was concern about that school and Ms. Trueblood said it was being reviewed.

2015-041

Motion made by Dr. Anthony Strong, seconded by Mr. Kennedy, to approve the KTIP Appeals Committee recommendations.

Vote: *Unanimous*

Transylvania University Accreditation

2015-042

Issue One:

Motion made by Dr. Strong, seconded by Dr. O'Hair, to accept the recommendation of the Accreditation Audit Committee and grant accreditation for Transylvania University.

Vote: *Yes – 15*

Recuse- 1 (Ellen Blevins)

2015-043

Issue Two:

Motion made by Ms. Schneider, seconded by Ms. Ellis, to accept the recommendation of the Accreditation Audit Committee and grant approval for the initial level educator preparation programs at Transylvania University.

Vote: *Yes – 15*

Recuse – 1 (Ellen Blevins)

Ms. Allison Bell recognized Ms. Judi Conrad who was rotating off the Accreditation Audit Committee as chair. Ms. Bell said that her leadership and participation on the committee would be missed. Ms. Bell also recognized Dr. Martha O'Brien who retired as the chair of Kentucky Wesleyan University. She said that Dr. O'Brien had served for many years as an active board of examiner member and chair.

Waivers

16 KAR 5:040. Request to Waive Cooperating Teacher Requirements, Dr. Sam Evans on behalf of Ms. Amber Thompson

2015-044

Motion made by Mr. Kennedy, seconded by Ms. Sinclair-Curry, to approve the waiver request for Dr. Sam Evans on behalf of Ms. Amber Thompson.

Vote: *Unanimous*

16 KAR 5:040. Request to Waive Cooperating Teacher Requirements, Dr. Sam Evans on behalf of Ms. Susan Towery

2015-045

Motion made by Ms. Sinclair-Curry, seconded by Mr. Kennedy, to approve the waiver request for Dr. Sam Evans on behalf of Ms. Susan Towery.

Vote: *Unanimous*

16 KAR 8:020. Request to Waive Graduate Program Requirements for Rank II, Ms. Audrey Kenney

2015-046

Motion made by Ms. McMillen, seconded by Ms. Blevins, to approve the waiver request for Ms. Audrey Kenney.

Vote: *Unanimous*

16 KAR 2:010. Request for Extension to Complete Master's Degree, Ms. Barbara Connin

2015-047

Motion made by Ms. Barbara Boyd, seconded by Ms. McMillen, to approve the waiver request for Ms. Barbara Connin.

Vote: *Yes – 5*
No - 11

Motion failed to pass.

Mr. Allen Kennedy stated that if individuals request a waiver they need to make a commitment as to when they are going to finish their Master's Degree.

16 KAR 2:120. Request to Waive Language Pertaining to Emergency Certification Issuance to the Same Person in any Subsequent Year, Bell County

2015-048

Motion made by Ms. Sinclair-Curry, seconded by Ms. McMillen, to approve the waiver request for Bell County.

Vote: *Unanimous*

16 KAR 2:010. Request to Waive National and State Criminal Background Check Requirements

Acting Executive Director Jimmy Adams explained the reason for the request to waive 16 KAR 2:010. Discussion ensued. Mr. Adams said that over 700 individuals were waiting for their records check to come back. He asked that the Board waive the requirement retroactively to July 24, 2015, until he had time to review the regulation requirements and change, alter, or expedite the process.

Mr. Allen Kennedy expressed his concerns on suspending the requirement and asked how much that would put the EPSB at risk. He asked if Mr. Adams had other viable options to address the issue. Mr. Adams said that he would bring a solution to the Board at the October or December meeting. He stated that districts were required by statute to perform criminal background checks as well.

2015-049

Motion made by Dr. Strong, seconded by Dr. Whaley, to approve the request to waive national and state criminal background check requirements retroactive to July 24, 2015.

Vote: Yes – 14

No – 2 (Allen Kennedy, Barbara Boyd)

Alternative Route to Certification Application

Mary Rockey, Biology, Grades 8-12

2015-050

Motion made by Ms. McMillen, seconded by Ms. Beardsley, to approve the alternative route to certification application for Ms. Mary Rockey.

Vote: Unanimous

Information/Discussion Item

16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Notice of Intent

Board Attorney Michael Head gave an update to the Board on the work of the Regulation Rewrite Committee. Input on the regulation amendment was given by committee members and various stakeholders. Mr. Head gave a broad explanation of the intent of each section of the regulation.

Mr. Head stated that anonymous complaints were addressed with the committee and the majority vote was to add language in the regulation to prohibit anonymous complaints. He also said that the KEA attorney, Mary Ruble, asked the committee to write in the regulation a provision to demand a hearing after a certain period of time. Mr. Head said that he placed in regulation her request that after 180 days following an informal complaint if a certificate holder asked for a hearing the Board would be required to have legal staff set a hearing. He said that he was concerned to write into regulation a provision to allow individuals to demand a hearing when it may not be in the Board's interest to go to a hearing. He suggested to the Board to write a discretion into the regulation but he said currently a provision such as this was not in the proposed regulation.

Mr. Adams reviewed timelines for the regulation to be approved.

Dr. Strong asked if the Board wanted to establish another meeting to review the regulation amendment due to several new Board members and a timeline to address. Mr. Kennedy said the regulation amendment was a critical issue to him. Ms. Marie McMillen said that she didn't think another meeting would change anything.

Mr. Head said that there were several items the Board needed to discuss such as timing for when an informal complaint was first brought to the Board.

Ms. Robin Hebert said that Commissioner Holliday would like the Board to have more time to review these major proposed changes to the regulation and to consider the implications. He asked for the new executive director to be involved in the conversations on the changes.

Chair Cassandra Webb called a special meeting for Monday, September 14, 2015, at 9:00a.m. at the EPSB offices to review the disciplinary regulation as an information item. Mr. Adams and Mr. Head will place the regulation process into a visual to help the Board see the proposed changes.

Board Comments

Dr. David Whaley said that during the last meeting a motion was introduced after the Board came back into open session from closed session. He asked if there was a way to ensure that stakeholders and the audience had an opportunity to hear Board discussion on all items brought before the Board. Mr. Head explained his reasons for the motion during the last meeting. He said that he did not foresee a motion like this ever happening again.

Mr. Adams stated as a point of clarification that staff would still collect background checks; they just do not hold the certifications. He said action could still be taken if necessary. Mr. Kennedy said he would like to see alternatives to the waiver.

Dr. Strong thanked the members of the Board for electing him as chair. He said he looked forward to next year. Dr. Strong thanked Ms. Webb for her leadership. Chair Webb thanked the Board for the opportunity the Board gave her, and she said she was privileged to work with each of the Board members.

DISCIPLINARY MATTERS: MINUTES OF CASE REVIEW August 10, 2015

Motion made by Ms. Sinclair-Curry, seconded by Ms. Blevins, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(1) (c) & (j).

Vote: *Unanimous*

Motion made by Ms. Sandra Sinclair-Curry, seconded by Ms. Laura Schneider, to return to open session.

Vote: *Unanimous*

The following board members concurred with the actions as listed below with the noted exceptions:

Brandy Beardsley, Ellen Blevins, Tolya Ellis, Leslie Fields, Donna Hedgepath, Allen Kennedy, Marie McMillen, Mary John O’Hair, Laura Schneider, Sandy Sinclair-Curry, Cassandra Webb, and David Whaley.

Attorneys present were Cassie Trueblood, Erik Carlsen-Landy, Chelsea Fannin, Shuo Han, Eric Ray, and Michael Head.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
1506437	Admonish
1506293	Defer for training
1506289	Dismissed
1505274	Hear
1503120	Admonish
1504181	Hear
1504185	Admonish
150243	Hear
1504187	Admonish
1504165	Hear
1505280	Hear
1505263	Admonish
1505284	Hear
1505282	Admonish
1505276	Hear
1506321	Hear (<i>Ms. Blevins recused</i>)
1503116	Hear
1504197	Hear
1506443	Admonish
1505216	Hear
1505208	Hear
1505238	Hear
1503148	Hear
1506323	Hear
1506309	Hear
1506313	Hear
1504189	Hear
1505206	Hear
1505261	Hear
1505212	Admonish
1505251	Dismissed
1506291	Admonish
1505204	Admonish
1504173	Hear
1505210	Defer for training
1505214	Admonish
1505244	Dismissed (<i>Ms. Blevins dissented</i>)
1504167	Hear

1505246	Hear
1505272	Admonish
150299	Hear
1504159	Hear
1504161	Hear
1506413	Dismissed
1506421	Dismissed
1505253	Hear
1506365	Dismissed
1410717	Dismissed
9612299	Dismissed
0905255	Dismissed
0507131	Dismissed
0605153	Dismissed
0605141	Dismissed
0606168	Dismissed
1005333	Dismissed
070597	Dismissed
07112218	Dismissed
150229	Dismissed
1412845	Dismissed
1303209	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
15490	Approve
15523	Approve
15588	Approve
15532	Approve
15554	Approve
15579	Approve
15484	Approve
15637	Approve
15616	Approve
15595	Approve
15608	Approve
15602	Approve
15661	Approve
15535	Approve
15201	Approve
15634	Approve
15249	Approve
15675	Approve
15603	Approve
15690	Approve
15743	Approve
15734	Approve
15488	Approve

15695	Approve
15749	Approve
15761	Approve
15763	Approve
15757	Approve
15812	Approve
15814	Approve
15200	Approve
15831	Approve
15833	Approve
15823	Approve
15816	Approve
15822	Approve
15850	Approve
15858	Approve
15861	Approve
15818	Approve
15870	Approve
15420	Approve
15896	Approve
15913	Approve
15903	Approve
15466	Approve
15938	Approve
15939	Approve
15943	Approve
15925	Approve
15969	Approve
15673	Approve
15729	Deny
15777	Approve
15849	Deny
15819	Approve
15829	Approve
15534	Approve
15730	Approve
15660	Approve
15836	Deny
15806	Approve
15872	Defer
15881	Approve
15910	Defer
15917	Deny
15915	Deny
15933	Approve
15930	Approve
15928	Defer
15935	Approve
15931	Defer
15934	Approve
15838	Deny

1515	Deny
15137	Approve
15493	Approve
15945	Deny
15971	Approve
15792	Deny

Agreed Orders

Case Number

140239 (Tamara Mouser)

Decision

Accept Agreed Order suspending Respondent's certificate for a period of two (2) years beginning on January 3, 2014. Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd floor, Frankfort, Kentucky 40601.

Prior to reinstatement of Certificate Number 200102339, Respondent shall comply with the following conditions:

1. Respondent shall provide written proof to the Board that she has complied with a comprehensive alcohol/substance abuse assessment by a licensed or certified chemical dependency counselor, as approved by the Board, and is compliant with all treatment recommendations. Any expense incurred shall be paid by Respondent.
2. Respondent shall provide written proof to the Board that she has complied with a comprehensive evaluation from a licensed or certified psychiatrist or mental health professional and is fit to return to the classroom, presents as capable of performing her duties as an educator, is not a danger to herself or others, and is compliant with all treatment recommendations. Any expense incurred shall be paid by Respondent.
3. Respondent shall provide written proof to the Board that she has successfully completed professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred shall be paid by Respondent.

If Respondent fails to complete the above conditions prior to January 3, 2016, Certificate Number 20012339 shall not be reinstated until such conditions are satisfied.

Upon reinstatement, Certificate Number 200102339 and any future endorsements or new areas of certification, shall be subject to the following probationary conditions:

1. Respondent shall be subject to random drug testing to be administered by a provider approved by the Board, and shall receive no drug test that is positive for alcohol or illegal substance or that is in excess of therapeutic levels generally accepted in the medical community. Any expense incurred shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 200102339 shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120. 2. Respondent shall have no further criminal convictions involving alcohol. If Respondent is convicted of any crime involving alcohol, Certificate Number 200102339 shall be automatically suspended for a period of six (6) months and subject to additional sanctions by the Board pursuant to KRS 161.120.

3. Respondent shall have no disciplinary action involving the use of alcohol by any school district in which she is employed. If respondent fails to satisfy this condition, Certificate Number 200102339 shall be automatically suspended for a period of six (6) months and subject to additional sanctions by the Board pursuant to KRS 161.120.

“Disciplinary action” is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension or public reprimand shall be considered a violation of this condition.

Respondent is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1410710 (John Lewis)

Accept Agreed Order admonishing Respondent for failing to maintain the dignity and the integrity of the profession. As a teacher, Respondent is expected to be a role model for students and an example of good citizenship. This type of behavior embarrasses the profession and erodes the community’s trust in educators. No further acts of misconduct by Respondent will be tolerated by the Board.

Certificate Number 000064139 shall be subject to the following probationary conditions:

1. Respondent shall provide written proof to the Board that he has received twelve (12) hours of sexual harassment awareness training, as approved by the Board, no later than June 1, 2016. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by June 1, 2016, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

2. Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training regarding the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by June 1, 2016, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. McMillen and Mr. Whaley dissented)*

1111834 (Michelle Lynn)

Accept Agreed Order suspending Respondent's certificate for a period of one (1) year beginning November 5, 2012. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of this certificate, by first class mail or personal delivery, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Prior to reinstatement of certificate number 199801594, Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, approved by the Board, and present written evidence to the Board that she has complied with the assessment process and has either successfully completed or is working toward completing any and all treatment recommendations and is fit to fulfill

her duties as an educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent. If Respondent fails to satisfy this condition, certificate number 199801594 shall not be reinstated.

Upon reinstatement, certificate number 199801594, including any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of five (5) years.

1. If Respondent is not able to complete all chemical dependency treatment recommendations prior to reinstatement of her certificate, she shall submit quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her from treatment or the probationary period ends, whichever comes first. Each progress report shall certify that Respondent is continuing to comply with any and all treatment recommendations and that she remains fit to fulfill her duties as an educator. Any expense incurred for treatment and/or reports shall be paid by Respondent.

2. In accordance with KRS 161.175, Respondent shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no tests positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Any expense for drug testing shall be paid by Respondent.

3. By June 1, 2015, Respondent shall provide written evidence to the Board that she has completed twelve (12) hours of professional development/training in ethics as approved by the Board and at her own expense.

By entering into this Agreed Order, Lynn agrees that should she fail to satisfy and/or violate any of these conditions, her certificate shall be automatically suspended for a period of one (1) year. If applicable, at the conclusion of the one (1) year suspension, her certificate shall remain suspended until such time as all of the above conditions are met.

Lynn is aware that should she violate KRS 161.120 either during or following this five (5) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1311806 (David Fugitt)

Accept Agreed Order stating that Respondent shall neither apply for nor be issued any teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future. Any future application submitted by Respondent, or on his behalf, shall be denied.

Vote: *Unanimous (Ms. Webb recused)*

CF15216 (Mary Parker)

Accept Agreed Order which states that upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that she has complied with the assessment process. Any expense for the assessment and written reports shall be paid by Respondent.

2. Respondent shall submit written proof to the Board that she has completed a course on professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Any and all certificates issued to Respondent shall be subject to the following conditions:

1. If Respondent's chemical dependency counselor makes any treatment recommendations, Respondent shall comply with the treatment recommendations. Respondent shall submit quarterly written progress reports from her counselor to the Board until such time as the counselor releases her from treatment. Any expense for the treatment and/or written reports shall be paid by Respondent. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

2. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use or possession of alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use or possession of alcohol, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in

Respondent's certificate being automatically suspended pending Board review and disposition.

3. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of her certification(s) and/or for additional certification(s). Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on her behalf.

Vote: *Unanimous*

0606167 (Scot Carter)

Accept Agreed Order admonishing Respondent for failing to maintain the dignity and the integrity of the profession. As a teacher, Respondent is expected to be a role model for students and an example of good citizenship. This type of behavior embarrasses the profession and erodes the community's trust in educators. No further acts of misconduct by Respondent will be tolerated by the Board.

Certificate Number 407946109 shall be subject to the following probationary conditions:

1. Respondent shall provide written proof to the Board that he has received three (3) hours of ethics training, as approved by the Board, no later than April 1, 2016. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by April 1, 2016, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

2. Respondent shall provide written proof to the Board that he has received six (6) hours of boundary/sensitivity training, as approved by the Board, no later than April 1, 2016. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by April 1, 2016, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

3. Respondent shall provide written proof to the Board that he has received six (6) hours of cultural competency training, as approved by the Board, no later than April 1, 2016. Any expense incurred for said training shall be paid

by Respondent. If Respondent fails to satisfy this condition by April 1, 2016, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

0606175 (David Doolittle)

Accept Agreed Order stating that Respondent is currently a retired educator and has no plans to return to the profession. If Respondent chooses to return to the classroom in any capacity, he shall complete four (4) hours of Promoting Positive Behavior in Schools training, as approved by the Board. Any expense incurred for the professional development or training shall be paid by Respondent.

If Respondent fails to complete the above training prior to returning to the classroom, his Certificate Number 1007 shall be automatically suspended until he provides proof to the Board that he has completed the above required four (4) hours of professional development or training in classroom management.

Vote: *Unanimous*

CF15244 (Tashia Weathers)

Accept Agreed Order stating that Upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that she has complied with the assessment process. Any expense for the assessment and written reports shall be paid by Respondent

Vote: *Unanimous*

150235 (James Walker)

Accept Agreed Order stating that Respondent's teaching certificate is permanently revoked. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1502104 (Michael Ford)

Accept Agreed Order stating that Respondent's teaching certificate is permanently revoked. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

150239 (Chad Burgett)

Accept Agreed Order suspending Respondent's certificate from July 18, 2015 through July 20, 2015, a period of three (3) days. Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

1. By September 1, 2015, Respondent shall submit written proof to the Board from his current treatment provider or Alcoholics Anonymous sponsor that he is maintaining his sobriety and is seeking support and continued assistance in maintaining his sobriety. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by September 1, 2015, Certificate Number 199601685 shall be automatically suspended until such condition is satisfied.

2. By November 1, 2015, Respondent shall submit written proof to the Board that he has complied with a

comprehensive alcohol/substance abuse assessment by a licensed or certified chemical dependency counselor, as approved by the Board, and is compliant with all treatment recommendations. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by November 1, 2015, Certificate Number 199601685 shall be automatically suspended until such condition is satisfied.

3. By November 1, 2015, Respondent shall submit written proof to the Board that he has complied with a comprehensive evaluation from a licensed or certified psychiatrist or mental health professional and is fit to return to the classroom, presents as capable of performing his duties as an educator, is not a danger to himself or others, and is compliant with all treatment recommendations. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition by November 1, 2015, Certificate Number 199601685 shall be automatically suspended until such condition is satisfied.

Furthermore, Certificate Number 199601685 shall be subject to the following probationary conditions for a period of two (2) years:

1. By January 1st and July 1st of each year during the probationary period, Respondent shall submit written proof from his current treatment provider or Alcoholics Anonymous sponsor that he is maintaining sobriety and is still seeking support and continued assistance in maintaining his sobriety. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, Certificate Number 199601685 shall be automatically suspended until such condition is satisfied.
2. Respondent shall submit to random drug testing, to be administered by a provider approved by the Board, and shall receive no drug test that is positive for alcohol or any illegal substance or that is in excess of therapeutic levels generally accepted in the medical community. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, Certificate Number 199601685 shall be automatically suspended for a period of forty-five (45) days, and subject to additional sanctions by the Board pursuant to KRS 161.120.
3. Respondent shall not receive any disciplinary action involving use of alcohol or illegal substance by any school district in which he is employed. If Respondent fails to satisfy this condition, Certificate Number 199601685 shall be automatically suspended for a period of forty-five (45)

days, and subject to additional sanctions by the Board pursuant to KRS 161.120.

“Disciplinary action” is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension or public reprimand shall be considered a violation of this condition.

Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1407433 (Caroline Rea)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment and for failing to properly manage a student’s behavior. The Board recognizes that students are going to misbehave and disrupt the classroom setting, but an educator must remain aware of the line between appropriate and inappropriate physical intervention when interacting with a student. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. The Board will not tolerate any further incidents of misconduct from Respondent.

1. On or before June 1, 2016, Respondent shall provide written proof to the Board that she has completed six (6) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Respondent shall pay any expense incurred. Should Respondent fail to satisfy this condition by June 1, 2016, Certificate Number 000078481 shall be automatically suspended until such condition is satisfied.

2. On or before June 1, 2016, Respondent shall provide written proof to the Board that she has completed twelve (12) hours of classroom management professional development or training, as approved by the Board. Respondent shall pay any expense incurred. Should Respondent fail to satisfy this condition by June 1, 2016,

Certificate Number 000078481 shall be automatically suspended until such condition is satisfied.

3. On or before June 1, 2016, Respondent shall complete the Kentucky Department of Education's restraint and seclusions training entitled Promoting Positive Behavior in Schools. Rea shall pay any expense incurred. Should Respondent fail to satisfy this condition by June 1, 2016, Certificate Number 000078481 shall be automatically suspended until such condition is satisfied.

Respondent is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1108611 (Dean Cornett)

Accept Agreed Order admonishing Respondent for failing to follow the administrative procedures related to student testing. Strict compliance with the Administration Code for Kentucky's Educational Assessment Program ensures the well-being of the students and the integrity of the testing process are maintained. The Board will not tolerate any further violations of testing procedures by Cornett.

Certificate Number 199601550, including any and all endorsements, is hereby subject to the following probationary conditions for a period of two (2) years from the date the Board accepts this Agreed Order:

1. On or before October 1, 2015, Respondent shall submit written proof to the Board that he has successfully completed three (3) hours of Administration Code training, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 199601550, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

2. On or before January 1, 2016, Respondent shall submit written proof to the Board that he has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 199601550, and any future

endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

3. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving violations of the Administration Code for Kentucky's Educational Assessment. "Disciplinary action" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Respondent fails to comply with the requirements of this paragraph, Certificate Number 199601550, and any future endorsements or new areas of certification, shall be automatically suspended for a period of sixty (60) days.

Respondent is aware that should he violate KRS 161.120, either during or following this two (2) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1503140 (Chastity White)

Accept Agreed Order suspending Respondent's certificate for fifteen (15) days beginning July 1, 2015 and running through July 15, 2015. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Additionally, Certificate number 200222834 is subject to the following probationary conditions for a period of two (2) years from the date the Board accepts this Agreed Order:

1. On or before December 1, 2015, Respondent shall submit written proof to the Board that she has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 200222834 shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

2. On or before November 1st and March 1st of each year of the probationary period, Respondent shall provide to the Board written progress reports from either the Director of Special Education (“DOSE”) and/or other knowledgeable supervisor. The reports shall state that Respondent is maintaining proper and accurate documentation of student files under her supervision and that she is in compliance with all record keeping requirements. If Respondent fails to comply with the requirements of this paragraph on or before November 1st and March 1st of each year of the probationary term, Certificate Number 200222834 shall be automatically suspended until Respondent submits the required written report to the Board.

3. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving conduct unbecoming or neglect of duty from any school district in which she is employed. “Disciplinary action” is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Respondent fails to comply with the requirements of this paragraph, Certificate Number 200222834 shall be automatically suspended for a period of sixty (60) days.

Respondent is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

Motion made by Ms. McMillen, seconded by Ms. Blevins, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 1:40 p.m.

Next Meeting: **October 12, 2015**
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky